

**DOCKET NO: 3:18-cv-00535-MOC-DCK**

**PATRICK UDOEWA,  
On Behalf of Himself and  
Others Similarly Situated**

Plaintiffs,

**VS.**

**ETTAIN GROUP, INC.,**

Defendant.

## ORDER

**THIS MATTER** is before the Court on the parties' Joint Motion to Approve Notice of Collective Action Settlement. (Doc. No. 29). As the parties explain, this Court entered a prior order approving their motion for settlement on October 8, 2019. (Doc. No. 28). The parties have since then discovered that they had submitted to the Court an older version of the Notice of Collective Action Settlement that did not include all of the parties' agreed-upon language. In bringing this second motion, the parties have now submitted the correct, and agreed-upon Notice of Collective Action Settlement, and they again seek an order from the Court approving the Notice of Collective Action Settlement.

Having considered the Motion, the Proposed Settlement Agreement and Release (Doc. No. 29-1), and accompanying documents, the Court finds that the settlement reached in this matter is a fair and reasonable resolution to a bona fide dispute and provides an adequate basis for Plaintiffs to waive their substantive and prescriptive rights under applicable law. Accordingly, the Court enters the following Order.

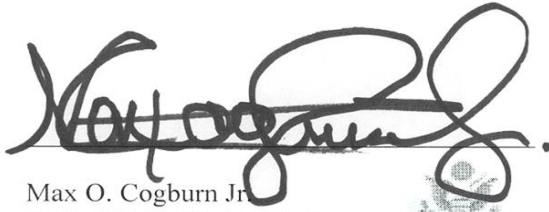
## ORDER

**IT IS, THEREFORE, ORDERED** as follows:

- (1) The parties' Joint Motion to Approve Notice of Collective Action (Doc. No. 29) is **APPROVED**, including the payments to Settlement Collective Members, the releases of claims, the service payment to Named Plaintiff, and payment of attorneys' fees and costs as set forth therein.
- (2) The Settlement Collective is **CERTIFIED** pursuant to 29 U.S.C. § 216(b) for the sole purpose of settlement.
- (3) This action is **DISMISSED WITH PREJUDICE** in its entirety in full and final discharge of any and all Participating Collective Members' Released Claims.
- (4) The Court **APPROVES** the requested Service Award, Attorneys' Fee Award, and costs to Class Counsel, as well as the designation of the Settlement Administrator and approval of Settlement Administrator fees.
- (5) The Court **APPROVES** the proposed form of the Settlement Notice and method of distribution as the best notice practicable under the circumstances.
- (6) The Court **APPROVES** the Parties' request that the docket remain open so that a Check Opt-in Form may be filed on the docket by Class Counsel on behalf of each Participating Collective Member, and further **APPROVES** the Parties' proposed method of filing Check Opt-in Forms with the Court as fair, reasonable and sufficient to constitute a consent to join the Lawsuit, as required by 29 U.S.C. § 216(b), on behalf of each Participating Collective Member.
- (7) The Court **DIRECTS** that the Gross Settlement Amount be distributed in accordance with the terms of this Settlement Agreement.
- (8) The Court retains jurisdiction to interpret, implement, and enforce the terms of

the Settlement Agreement and all orders and judgments entered in connection  
therewith.

Signed: October 31, 2019

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.  
United States District Judge

